APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,871	06/07/2001	Dwip N. Banerjee	AUS9-2001-0346-US1	9368

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EXAMINER
HOLZEN, STEPHEN A

ART UNIT	PAPER NUMBER
3644	

DATE MAILED: 09/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 June 2001_ .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-17_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-17_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____ .

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)		4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .	
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) ☐ Notice of Informal Patent Application (PTO-152)	
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_ .		6) ☐ Other: .	

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-3,5-17 are rejected under 35 U.S.C. 102(e) as being anticipated by

Bloom (2002/0178074 A1). Bloom discloses a method for selling and arranging

shipment of goods, using a network comprising:

Re - Claim 1: receiving from a buyer an order to buy said goods (see ¶ 0071 lines

4-6), presenting to said buyer a buyer-preferred delivery option (see ¶ 0074 lines

26-32); and in response to said buyer selecting said buyer-preferred delivery

option, making a goods available for pickup by said buyer's preferred delivery

agency. (see ¶ 0079)

Re - Claim 2: communicating to said buyer's preferred delivery agency, shipping

information regarding said goods, wherein said shipping information includes an

identifier of said goods, and a time and a place for pick-up of said goods by said

buyers' preferred delivery agency. (see ¶ 0079)

Re - Claim 3: wherein, said shipping information includes an identifier of said goods, and a time and a place for pick-up said goods by said buyer's preferred delivery agency, and said buyer sends said shipping information to said buyer's preferred delivery agency. (see ¶ 0077 and 0079)

Re - Claim 5: communicating to said buyer information to lead said buyer to select a certain delivery agency as said buyer's preferred delivery agency. (see ¶ 0071 lines 25-31)

Re - Claim 6: retrieving additional information, previously stored regarding said buyer's preferred delivery agency. (see ¶ 0072)

Re - Claim 7: Bloom discloses a method for buying and arranging shipment of goods, using a network comprising sending an order for said goods to a seller (see ¶ 0071), wherein said order specifies a buyer-preferred delivery option (see ¶ 0071), in response to a request from said seller, sending data regarding a buyers preferred delivery agency to said seller sending payment information to said buyer's preferred delivery agency (see ¶ 0073 lines 18-25)), to arrange said buyer's payment to said buyer's preferred delivery agency (see ¶ 0074), receiving shipping information from said seller and sending said shipping information to said buyer's preferred delivery agency, wherein said buyer's

preferred delivery agency uses said shipping information to arrange to pick up said goods from said seller. (see ¶ 0077 and 0079)

Re - Claim 8: A method for buying an arranging shipment of goods using a network comprising sending an order for said goods to a seller (see ¶ 0071), wherein said order specifies a buyer-preferred delivery option (see ¶ 0071), in response to a request from said seller, sending data regarding a buyer's preferred delivery agency to said seller and sending payment information to said buyer's preferred delivery agency (see ¶ 0071), to arrange said buyer's payment to said buyer's preferred delivery agency, wherein said seller sends shipping information to said buyer's preferred delivery agency and said buyer's preferred delivery agency uses said shipping information to arrange to pick up said goods from said seller. (see ¶ 0073, 0074 and 0079)

Re - Claims 9, 10, 11: A method for arranging shipment of goods purchased from a seller comprising providing a first computer in communication with a communications network inputting into said first computer an order from a buyer to buy said goods, along with a request for shipment of said goods to said buyer via said buyer's preferred delivery agency transmitting from said first computer, over said communication network shipping information regarding said goods, said shipping information including an identifier of said goods, and a time and a place for pick8- of said goods by said buyer's preferred delivery agency,

providing a second computer in communication with said communication network

receiving via said second computer and said communication network said

shipping information and transmitting a signal from said second computer to

direct the transportation of said d goods to said buyer via said buyers preferred

delivery agency based on said shipping information receiving via said second

computer information to arrange payment of shipping costs by said buyer to said

buyer's preferred delivery agency, transmitting a signal from said first computer

to make said goods available for pickup by said buyers preferred delivery

agency. (see ¶ 0071, 0074, and 0079)

Re - Claim 12, 13 and 14: a system for arranging shipment of goods purchased

from a seller comprising a first computer in communication with a

communications network means for inputting into said first computer an order

from a buyer to buy said goods, along with a request for shipment of said goods

to said buyer via said buyer's preferred delivery agency, means for transmitting

from said first computer, over said communication network shipping information

regarding said goods, said shipping information including an identifier of said

goods, and a time and a place for pick-up of said goods by said buyers' preferred

delivery agency a second computer in communication with said communications

network means for receiving via said second computer and said communication

network said shipping information and means for transmitting a signal from said

second computer to direct the transportation of said goods to said buyer via said

buyers preferred delivery agency based on said shipping information (see ¶ 0071-0079), means for receiving via said second computer information to arrange payment of shipping costs by said buyer to said buyer's preferred delivery agency, means for transmitting a signal from said first computer to make said goods available for pick-up by said buyer's preferred delivery agency. (see ¶ 0071-0079)

Re - Claims 15, 16 and 17: a computer -usable medium having computer executable instruction for arranging shipment of goods, using a first computer and a second computer in communication with a communication network said computer executable instruction comprising means for inputting into said first computer an order from a buyer to buy said goods, along with a request for shipment of said goods to said buyer via said buyer's preferred delivery agency, means for transmitting from said first computer over said network shipping information regarding said goods said shipping information including an identifier of said goods and a time and a place for pick-up of said goods by said buyer's preferred deliver agency means for receiving via second computer and network said shipping information and means for transmitting a signal from said second computer to direct the transportation of said goods to said buyer via said buyer's preferred deliver agency based on said shipping information, means for receiving via said second computer information to arrange payment of shipping costs by said buyer to said buyers' preferred deliver agency, means for transmitting a

signal from said first computer to make said goods available for pick-up by said

buyer's preferred delivery agency. (see ¶ 0071-0079)

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bloom in

view of ordinary skill in the art. Blood discloses every aspect of the applicant's invention

except communicating to said buyer the price of said goods without added shipping

costs. However it should be appreciated that it is well known in the purchasing and

delivery art that splitting the cost of shipping and product price is well known. It has

been well established that the customers prefer to have the costs split from each other

and then having said costs specified on a purchase order.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Stephen A. Holzen whose telephone number is 703-

308-2484. The examiner can normally be reached on M-F 7:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Charles T. Jordan can be reached on 703-306-4159. The fax phone

number for the organization where this application or proceeding is assigned is (703)

872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-306-

4174.

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